

SHORTHAND REPORTING

Charles L. Tamaroff

FILED

September 20, 2010

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF COURT REPORTING

IN THE MATTER OF THE
SUSPENSION OR REVOCATION OF
THE CERTIFICATE OF

LYNN E. SCANZANI, C.C.R.
Certificate No: 30XI000197800

TO PRACTICE COURT REPORTING
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter came before the New Jersey State Board of Court Reporting ("Board") upon information that the respondent, Lynn E. Scanzani, C.C.R., has failed to cooperate with the Board, in violation of N.J.S.A. 45:1-21(h), N.J.A.C. 13:43-7.1(a) and N.J.A.C. 13:45C-1.3. Based upon information received and which the Board has reviewed, the following findings are made:

FINDINGS OF FACT

1. Respondent is a certified court reporter in the State of New Jersey and has been a certificate holder at all times relevant hereto.
2. In or about August 2004, the Board of Court Reporting initiated a random audit of renewal applications for the 2002-2004 period, asking those randomly selected certificate holders to submit proof with regard to the satisfaction of continuing education

requirements for the biennial renewal period, i.e., fifteen (15) credits of continuing education. A letter, dated August 3, 2004, was sent to the respondent advising her that she was selected to participate to the audit.

3. In a correspondence dated October 4, 2004, the respondent was notified by the Board that it had not received a response to its August 2004 letter. The respondent was again informed that she had been selected to participate in the audit and was again directed to send proof of her compliance with the continuing education requirements for the licensure period of 2002-2004. This letter was sent to the respondent, via certified and regular mail, to her last known address of record of:

25 Woodfield Road
Stony Brook, New York 11790

4. The green card receipt, indicating service of the October 2004 letter sent via certified mail to the respondent, was never received by the Board's administrative office. However, the copy of the correspondence sent by regular mail was never returned to the Board office. To date, the respondent has failed to respond to the Board's directives.

CONCLUSIONS OF LAW

1. Respondent has failed to cooperate with the Board's August and October 2004 directives to furnish it with proof that she has met and completed the continuing education requirements for the biennial renewal period of 2002-2004 in violation of N.J.A.C. 13:43-7.1(a) and N.J.A.C. 13:45C-1.3.

2. Respondent is subject to sanctions pursuant to N.J.S.A. 45:1-21(h), failure to comply with the provisions of an act or regulation administered by the Board, which

constitutes grounds for suspension or revocation of any certificate, registration or license, and grounds for sanction pursuant to N.J.S.A. 45:1-25.

DISCUSSION ON FINALIZATION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline, which, among other sanctions, provisionally suspended respondent's certificate to practice court reporting in the State of New Jersey, was entered on September 6, 2005, and a copy was served on the respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

As indicated earlier, a copy of the Provisional Order was sent to the respondent, via both certified and regular mail, on or about September 6, 2005, to her address of record of: 25 Woodfield Road, Stony Brook, New York 11790. The green receipt card of the certified mail was returned to the Board office marked as "undeliverable." However, the Provisional Order sent by regular mail was **not** returned to the Board's administrative office. Additionally, the Board has to date not received a response to the Provisional Order from the respondent.

This matter was considered by the Board at its November 14, 2005, meeting. Following its review of this matter, the Board concluded that it had met its obligation of service by mailing of the proper documents to the certificate holder's address of record filed with the Board. Additionally, the Board has concluded that, despite proof that the respondent had received the Provisional Order, the respondent had failed to comply with the Board's directives

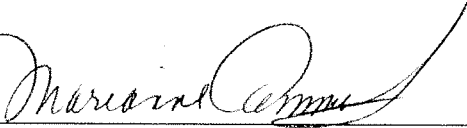
and submit proof that she had completed the required continuing education credits for the 2002-2004 certificate biennial renewal period. Moreover, the Board concluded that the respondent had failed to provide any compelling reasons why the preliminary findings detailed in the September 2005 Provisional Order should be vacated or modified in any way. Finally, the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. Thus, the Board voted to finalize the Provisional Order without modification.

**THEREFORE, IT IS ON THIS 31ST DAY OF
AUGUST 2010 ORDERED THAT:**

1. Respondent Lynn E. Scanzani, C.C.R., is hereby formally reprimanded for her failure to cooperate with the Board's directives and furnish the Board with proof of her compliance with the continuing education requirements for the 2002-2004 certificate biennial renewal period.
2. Respondent's certificate to practice court reporting in the State of New Jersey is hereby suspended until such time as the certificate holder has complied with the request of the Board and provided information satisfactorily demonstrating her compliance with the Board's directives and the applicable continuing education statutes and regulations.
3. Respondent is hereby assessed a civil penalty in the amount of \$1,000.00, pursuant to the mandates of N.J.S.A. 45:1-25, for violation of N.J.S.A. 45:1-21(h), N.J.A.C. 13:43-7.1(a) and N.J.A.C. 13:45C-1.3. Payment shall be made by certified check or money order made payable to the State of New Jersey and shall be submitted to Dianne L. Tamaroglio, Executive Director of the State Board of Court Reporting, at 124 Halsey Street, Sixth Floor, Post Office Box 45019, Newark, New Jersey 07101, within thirty (30) days from the date this Order is finalized.

4. Failure to comply with any provisions of this Order or remit the civil penalty required by this Order will result in the filing of a Certificate of Debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD
OF COURT REPORTING

By: 

MARIANNE CAMMAROTA, C.C.R.
President